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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number **09/997,537**

Filing Date **November 29, 2001**

First Named Inventor **Hidetoshi Takeda et al.**

Art Unit **2663**

Examiner Name **To Be Assigned**

Attorney Docket No. **MAT-5340US3**

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ENCLOSURES (Check all that apply)

☐ Fee Transmittal Form
☐ Fee Attached

☐ Amendment/Reply
☐ After Final
☐ Affidavits/Declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☒ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/
Incomplete Application

☐ Response to Missing Parts under
37 CFR 1.52 or 1.53

☐ Drawing(s)
☐ Licensing-related Papers

☒ Petition

☐ Petition to Convert to a
Provisional Application

☐ Power of Attorney, Revocation,
Change of Correspondence
Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) _____

☐ After Allowance Communication
to Group

☐ Appeal Communication to Board
of Appeals and Interferences

☐ Appeal Communication to Group
(Appeal Notice, Brief, Reply
Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s) (please
identify below):

**PTO Form 1449, 4 references,
European Search Reports (2)**

Remarks:

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual	Lawrence E. Ashery/Daniel N. Calder	Registration No. (Attorney/Agent)	34,515/27,424
Signature	<i>Daniel N. Calder</i>		
Date	July 14, 2003		

CERTIFICATE OF TRANSMISSION / MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date:

July 14, 2003

Name (Print/Type) **Lawrence E. Ashery/Daniel N. Calder**

Signature

Daniel N. Calder

Date

July 14, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: COMMISSIONER FOR PATENTS, P.O. Box 1450, ALEXANDRIA, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No: 09/997,537
Applicant: Hidetoshi Takeda et al.
Filed: November 29, 2001
Title: DATA TRANSMITTING APPARATUS, DATA
RECEIVING APPARATUS AND DATA
TRANSMISSION CONTROL APPARATUS
TC/A.U.: 2663
Confirmation: To Be Assigned
Examiner: To Be Assigned

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SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

S I R :

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO 1449 (RP) submitted herewith. A copy of each of the listed references is also enclosed.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

The following reference is not in the English language:

- 1) WO 95 03658

Reference 1) includes an English language abstract and was cited in a search report by a foreign Patent Office in a patent application corresponding to the above-identified patent application. A copy of this search report, which indicates the degree of relevance found by the foreign office, is transmitted herewith. MPEP

Section 609 IIIA(3), second paragraph.

This Information Disclosure Statement is being filed before mailing of the first Official Action. No first Official Action has yet been received and it is presumed that none has yet been mailed. No fee or statement is required. 37 C.F.R. § 1.97(b). A statement, however, is provided herewith:

STATEMENT

The undersigned hereby states that each item of information disclosed in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Respectfully submitted,

Daniel N. Calder

Lawrence E. Ashery, Reg. No. 34,515
Daniel N. Calder, Reg. 27,424
Attorneys for Applicants

DNC/fp

Enclosures: PTO Form 1449 (2 sheets)
Copies of (#4) References
Copy of European Search Report for EP 00 12 8654
Copy of European Search Report for EP 00 12 8655

Dated: July 14, 2003

P.O. Box 980
Valley Forge, PA 19482-0980
(610) 407-0700

The Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. **18-0350** of any fees associated with this communication.

Daniel N. Calder

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July 14, 2003